



PLANNING DIVISION
CITY OF SUNNYVALE
P.O. BOX 3707
SUNNYVALE, CALIFORNIA 94088-3707

E12182

Attachment C
Page 1 of 30

File Number: 2004-0927
No. 04-37

**NOTICE OF INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION**

This form is provided as a notification of intent to adopt a Mitigated Negative Declaration which has been prepared in compliance with the provisions of the California Environmental Quality Act of 1970, as amended, and Resolution #118-04.

PROJECT TITLE:

Application for a **Use Permit** by filed by **Lowe's HIW Inc.**

PROJECT DESCRIPTION AND LOCATION (APN):

Application for a **Use Permit** on a 15-acre site to allow the demolition of existing industrial buildings and the construction of a 141,379 square-foot retail store (Lowe's) with associated site improvements. The property is located at **811 East Arques Avenue** in an M-S (Industrial & Service) Zoning District. (APN's: 205-27-008 and 205-27-004)

WHERE TO VIEW THIS DOCUMENT:

The **Mitigated Negative Declaration**, its supporting documentation and details relating to the project are on file and available for review and comment in the Office of the Secretary of the Planning Commission, City Hall, 456 West Olive Avenue, Sunnyvale.

This **Mitigated Negative Declaration** may be protested in writing by any person prior to **5:00 p.m. on Tuesday, February 1, 2005**. Such protest shall be filed in the Department of Community Development, 456 W. Olive Avenue, Sunnyvale and shall include a written statement specifying anticipated environmental effects which may be significant. A protest of a **Mitigated Negative Declaration** will be considered by the adopting authority, whose action on the protest may be appealed.

HEARING INFORMATION:

A public hearing on the project is scheduled for:

Monday, February 14, 2005 at 8:00 p.m. by the Planning Commission in the Council Chambers, City Hall, 456 West Olive Avenue, Sunnyvale.

TOXIC SITE INFORMATION:

(No) listed toxic sites are present at the project location.

Circulated On January 12, 2005

Signed: Gerri Caruso
Gerri Caruso, Principal Planner

E12182



PLANNING DIVISION
CITY OF SUNNYVALE
P.O. BOX 3707
SUNNYVALE, CALIFORNIA 94088-3707

File Number: 2004-0927
No. 04-37

MITIGATED NEGATIVE DECLARATION

This **Mitigated Negative Declaration** has been prepared in compliance with the provisions of the California Environmental Quality Act of 1970, as amended, and Resolution #118-04.

PROJECT TITLE:

Application for a **Use Permit** filed by **Lowe's HIW Inc.**

PROJECT DESCRIPTION AND LOCATION (APN):

Application for a Use Permit on a 15-acre site to allow the demolition of existing industrial buildings and the construction of a 141,379 square-foot retail store (Lowe's) with associated site improvements. The property is located at **811 East Arques Avenue** in an M-S (Industrial & Service) Zoning District. (APN's: 205-27-008 and 205-27-004)

FINDINGS:

The Director of Community Development of the City of Sunnyvale, California, hereby determines that an environmental impact report is not required. There are sufficient environmental controls incorporated into the zoning regulations to ensure no significant detrimental effect.

The above determination is based upon the initial study conducted in this matter, information provided by the applicant in an "Application for Environmental Finding" that the use is in keeping with and not in conflict with the adopted General Plan, Zoning Ordinance and Subdivision Ordinance. The site and architectural control will be exercised over the proposed development by the Planning Commission. No endangered species are known to depend on this site for habitat.

MITIGATIONS:

AESTHETICS (d) The existing use on the property is a multi-story industrial research and development building which has lighting in the parking lot area, in the building's campus area, and lights casting out of the office windows. Generally, the lighting on the site is kept at a minimum since the hours of operation are primarily during the daytime hours, although, the parking lot is lit at night for employees. The majority of the employees parking is sited behind the existing buildings and screened from Wolfe and Aques Roads. Most of the campus/walkway lights are off or kept low during nighttime and the office lighting is off at night.

The new use is a large tenant retail store which will have significant new parking lot lighting and exterior lights; therefore, new sources of light will be cast onto adjoining properties. The light will come primarily from the parking lot pole lights, which will be placed throughout the parking area and will be in operation during and after business hours. The hours of operation will allow the business to be in open during most evening hours and up to 12:00pm daily. The parking area will be sited mainly along Wolfe Road, so the new sources of light will cast primarily to the west.

E12182

With the standard conditions of approval (lighting plan approval prior to building permit issuance) and proposed project mitigation, the project will not create any new significant glare or adversely affect the nighttime views.

The following mitigation measures are proposed:

- WHAT: 1) All walkway lighting and security lighting will be down lit and designed at a pedestrian scale in height and degree of illumination.
- 2) A photometric plan shall be provided during the building permit review.
- 3) Flood lights and spot lights shall be kept to a minimum and included on the photometric plan.
- 4) All parking lot pole lighting shall be downlit, decorative building lighting shall also be directed downward. Parking lot pole height is to be determined through the Use Permit conditions of approval but shall not exceed 24 feet in height including the base of the luminary. Cutoff lenses to ensure reduction in glare and direct visual appearance of the lighting source from adjacent residential use are to be included in the luminary selection.
- 5) All lighting shall be kept to a minimum usage and intensity when the use is closed to the public (outside of hours of operation).
- 6) No lighting from the building or light poles will cast across any property lines.

WHEN: These mitigation measures will be converted into conditions of approval for this Use Permit (UP) prior to its final approval by the City's Planning Commission. The conditions will become valid when the UP is approved and prior to building permit issuance.

WHO: The property owner will be solely responsible for implementation and maintenance of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans.

II AIR QUALITY (b,d) The project requires significant grading of the site, including demolition of the existing building and potential remediation of any contaminated soil on site. This may introduce temporary and short term dust into the air, and therefore, temporarily affect air quality. There is an existing 192 unit residential project in the immediate vicinity (Avalon at Parkside Commons, across Wolfe Road) where children and seniors likely reside. This population could be negatively affected by the change in air quality if mitigation is not implemented. Through the City's implementation of the Municipal Code's construction regulations, Bay Area Air Quality regulations, and Regional Water Quality Control Board, this impact will be lessened to a less than significant level during construction.

The following mitigation measures are proposed:

- WHAT: 1. Permits must be obtained from the City of Sunnyvale, Bay Area Air Quality, and Regional Water Quality Control Board prior to demolition or construction.
2. During grading of the site additional BMP shall be included to minimize dust and particulate matter impacts as follows:
- a. Water active areas of the site daily, or as needed during windy and dry times;
 - b. Stabilize access roads on to the site with paving, non-toxic stabilizers, or application of water a minimum of 3 times daily with a crushed rock surface ;

E12182

- c. Sweep roads (including public), parking, and access areas with water sweepers daily if visible soil is carried onto these surfaces;
- d. Cover all trucks with soil, sand, or other small sized debris or require trucks to maintain two-feet of freeboard
- e. Plant vegetation for in disturbed areas as immediately as feasible, this includes the hydroseeded area on the site plan.

WHEN: These permits are required prior to any demolition or construction at the site and BMP are to be included as notes on the grading permits.

WHO: The property owner will be solely responsible for obtaining permits.

HOW: These mitigation measures will be required to be completed prior to building permit issuance.

IV CULTURAL RESOURCES (a) See Note for IV (b).

IV CULTURAL RESOURCES (b) Staff has no evidence of archaeological resources being located on-site or being found in the immediate vicinity. However, the project scope does include major excavation of the site for construction of the proposed building and there may be the potential that the project may uncover yet undiscovered archaeological resources.

The following mitigation measures are proposed:

What:

- 1) The applicant is responsible for onsite monitoring of project-related construction. In the event that subsurface cultural resources are encountered during approved ground-disturbing activities, work in the immediate vicinity shall be stopped and a qualified archaeologist retained to evaluate the finds. The discovery or disturbance of any cultural resources shall also be reported to the California Historic Resources Information System (CHRIS) and, if Native American artifacts are found, to the Native American Heritage Commission. Identified cultural resources should be recorded on form DPR 523 (historic properties). Mitigation measures prescribed by these groups and required by the City of Sunnyvale should be undertaken prior to resumption of construction activities.
- 2) If human remains are found during project grading, work shall halt and the County Coroner shall be informed immediately. If the Coroner determines that no investigation of the cause of death is required, and if the remains are of Native American origin, the Native American Heritage Commission should be contacted and further actions should be taken in consultation with them.
- 3) If disturbance of a project area cultural resource cannot be avoided, a mitigation program, including measures set forth in Section 15126.4 of the CEQA Guidelines, shall be implemented.

WHEN: These mitigation measures will be converted into conditions of approval for this Use Permit prior to its final approval by the City's Planning Commission. The conditions will become valid when the Use Permit is approved and prior to building permit issuance.

WHO: The property owner will be solely responsible for implementation and maintenance of these mitigation measures.

E12182

Attachment C

Page 5 of 30

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans.

XIII TRANSPORTATION AND TRAFFIC (d) The project will be adding a driveway on Stewart Drive in close vicinity to a sharp curve with high vehicle speeds. The project will also be adding a driveway on Wolfe Road. Wolfe Road is a major arterial roadway with high vehicle volume and speed. Vehicles slowing to enter the driveway, as well as potentially queuing in the roadway to enter will cause a hazard.

WHAT:

- 1) The applicant will be required to limit driveway for the western Stewart Drive access to right-turn into the driveway only. There will be no left-turns into the site permitted or exiting from this driveway. The driveway will be constructed to physically limit prohibited movements. A median barrier shall be constructed within the Stewart Drive right-of-way to City specification.
- 2) The applicant will be required to create a minimum driveway throat length of 75 feet for the Wolfe Road driveway.

WHEN: These mitigation measures will be converted into conditions of approval for this Special Development Permit prior to its final approval by the City's Planning Commission. The conditions will become valid when the Use Permit is approved and prior to building permit issuance.

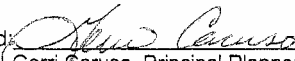
WHO: The property owner will be solely responsible for implementation of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans.

This **Mitigated Negative Declaration** may be protested in writing by any person prior to **5:00 p.m. on February 1, 2005**. Such protest shall be filed in the Department of Community Development, 456 W. Olive Avenue, Sunnyvale and shall include a written statement specifying anticipated environmental effects which may be significant. A protest of a Negative Declaration will be considered by the adopting authority, whose action on the protest may be appealed.

Circulated On January 12, 2005

Signed:


Gerri Caruso, Principal Planner

Adopted On _____

Verified:

Gerri Caruso, Principal Planner

E12182

File Number: 2004-0927
No. 04-37



California Department of Fish and Game
CERTIFICATE OF FEE EXEMPTION

Attachment C
Page 6 of 30

De Minimis Impact Finding

PROJECT TITLE/LOCATION (INCLUDE COUNTY):

The **Use Permit** is located on **811 East Arques Avenue**, City of Sunnyvale, County of Santa Clara in an M-S (Industrial & Service) Zoning District. APN's: 205-27-008 and 205-27-004

PROJECT DESCRIPTION:

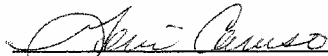
Application for a Use Permit on a 15-acre site to allow the demolition of existing industrial buildings and the construction of a 141,379 square-foot retail store (Lowe's) with associated site improvements.

FINDINGS OF EXEMPTION:

1. This project is in an urban setting.
2. There is no alteration of land or effect on fish or wildlife.

CERTIFICATION:

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.


Gerri Caruso

Title: Principal Planner, Community Development
Lead Agency: City of Sunnyvale
Date: January 12, 2005

E12182

INITIAL STUDY
City of Sunnyvale
Department of Community Development
Planning Division
P.O. Box 3707
Sunnyvale, CA 94088-3707

Project #: 2004-0927
Project Address: 811 East Arques Ave.
Applicant: Lowe's Home Improvement Center (Lowe's HIW, Inc.)

1. Project Title: Lowe's Home Improvement Center
2. Lead Agency Name and Address: City of Sunnyvale, Community Development Department, Planning Division
3. Contact Person and Phone Number: Steve Lynch 408-730-2723
4. Project Location: 811 East Arques Ave., Sunnyvale, CA
5. Project Sponsor's Name and Address: James R. Manion
1530 Faraday #140
Carlsbad, CA 92008
6. General Plan Designation: IND - Industrial
7. Zoning: MS - Industrial and Service
8. Description of the Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. (Attach additional sheets if necessary))

The project consists of a Use Permit application to allow the construction of a proposed Lowe's Home Improvement Center, which would include approximately 134,563 square feet of sales area and approximately 31,202 square feet of garden center, for a total size of approximately 165,765 square feet. The new building will be sited in the current location of the Philips parking lot to the eastern side of the property.

The existing 316,000 square foot industrial and research Philips building is proposed to be demolished and does not have any historical or architectural significance. This site has known underground contamination and is currently being remediated. A detailed discussion of this is contained in the following report.

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)

North:	Industrial and Research facility
South:	Industrial and Research facility
East:	Industrial and Research facility
West:	High Density Residential Apartments
10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement).

Bay Area Air Quality
California Regional Water Quality Control Board

E12182

Project #: 2004-0927
Project Address: 811 East Arques Ave.
Applicant: Lowe's HIW, Inc.

Attachment C
Page 8 of 30

INITIAL STUDY ENVIRONMENTAL CHECKLIST
PAGE 2 of 24

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Population/Housing | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. ☐

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared. ☒

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. ☐

I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. ☐

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. ☐

Signature

Kelly Dickmann

Date

1-11-05

Kelly Dickmann, Associate Planner

For: City of Sunnyvale

E12182

Project #: 2004-0927
Project Address: 811 East Argues Ave.
Applicant: Lowe's HIW, Inc.

INITIAL STUDY ENVIRONMENTAL CHECKLIST
PAGE 3 of 24

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).
- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

E12182

Project #: 2004-0927
Project Address: 811 East Argues Ave.
Applicant: Lowe's HIW, Inc.

Attachment C
Page 10 of 30

INITIAL STUDY ENVIRONMENTAL CHECKLIST PAGE 4 of 24

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
I. AESTHETICS. Would the project:					
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	1, 93, 110, 114
b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	1, 93, 110, 114
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	1, 93, 100, 101, 110, 114
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	1, 93, 110, 114
II. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	2, 96, 99, 110
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	2, 96, 99, 110, 111
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	2, 95, 96, 99, 110
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	61, 62, 93, 110, 111
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	93, 110, 111

E12182

Project #: 2004-0927
Project Address: 811 East Argues Ave.
Applicant: Lowe's HIW, Inc.

INITIAL STUDY ENVIRONMENTAL CHECKLIST
PAGE 5 of 24

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
-----------------------------------	--------------------------------	--	------------------------------	-----------	--------

III. BIOLOGICAL RESOURCES:

- | | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|-----------------------|
| a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X | 1, 93, 108, 110, 111 |
| b. Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X | 1, 93, 108, 110, 111 |
| c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X | 1, 93, 108, 110, 111 |
| d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X | 1, 93, 108, 110, 111 |
| e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> | 38, 93, 110, 111, 120 |
| f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X | 1, 38, 93, 110, 111 |

E12182

Project #: 2004-0927

Project Address: 811 East Argues Ave.

Applicant: Lowe's HIW, Inc.

Attachment C

Page 12 of 30

INITIAL STUDY ENVIRONMENTAL CHECKLIST

PAGE 6 of 24

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
IV. CULTURAL RESOURCES. Would the project:					
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9, 39, 58, 59, 60, 93, 110
b. Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9, 39, 93
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	9, 39, 93, 110
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 110, 111
V. LAND USE AND PLANNING. Would the project:					
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 10, 11, 20, 53
b. Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	53, 110
c. Conflict with any applicable habitat conservation plan or natural communities conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 38, 93, 110
VI. MINERAL RESOURCES. Would the project:					
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 93
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 93
VII. NOISE. Would the project result in:					
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 15, 53, 93, 110, 111
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 15, 53, 93, 110, 111

E12182

Project #: 2004-0927
Project Address: 811 East Arques Ave.
Applicant: Lowe's HIW, Inc.

INITIAL STUDY ENVIRONMENTAL CHECKLIST
PAGE 7 of 24

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	1, 15, 53, 93, 110, 111
d. A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	1, 15, 53, 93, 110, 111
VIII. POPULATION AND HOUSING. Would the project:					
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	1, 10, 110, 111
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	1, 10, 110, 111
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	1, 10, 110, 111
IX. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	1, 17, 110, 111
b. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	64, 65
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	1, 110, 111
d. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	1, 110, 111
e. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	53, 64, 65, 66, 102, 103

E12182

Project #: 2004-0927
Project Address: 811 East Arques Ave.
Applicant: Lowe's HW, Inc.

INITIAL STUDY ENVIRONMENTAL CHECKLIST
PAGE 8 of 24

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
X. MANDATORY FINDINGS OF SIGNIFICANCE					
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	1, 9, 26, 39, 58, 59, 60, 110, 111
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	1, 110, 111
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	110, 111
XI. GEOLOGY AND SOILS. Would the project:					
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:					
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	102, 103, 104, 105, 106
(ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	102, 103, 104, 105, 106
(iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	102, 103, 104, 105, 106
(iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	102, 103, 104, 105, 106
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	102, 103, 104, 105, 106

E12182

Project #: 2004-0927
Project Address: 811 East Argues Ave.
Applicant: Lowe's HIW, Inc.

INITIAL STUDY ENVIRONMENTAL CHECKLIST
PAGE 9 of 24

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	102, 103, 104, 105, 106
d. Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	102, 103, 104, 105, 106
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	102, 103, 104, 105, 106
XII. UTILITIES AND SERVICE SYSTEMS. Would the project:					
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	1, 19, 23, 24, 86, 87, 88, 89, 110, 111
b. Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	1, 19, 23, 24, 86, 87, 88, 89, 110, 111
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	1, 19, 23, 24, 86, 87, 88, 89, 110, 111
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	1, 19, 23, 24, 86, 87, 88, 89, 110, 111
e. Result in a determination by the wastewater treatment provider that services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	1, 19, 23, 24, 86, 87, 88, 89, 110, 111
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	1, 21, 89, 110, 111
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	1, 21, 89, 110, 111

E12182

Project #: 2004-0927
Project Address: 811 East Arques Ave.
Applicant: Lowe's HIW, Inc.

INITIAL STUDY ENVIRONMENTAL CHECKLIST
PAGE 10 of 24

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
XIII. TRANSPORTATION/TRAFFIC. Would the project:					
a. Cause an increase in the traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	1, 11, 70, 74, 75, 76, 110, 111, 119
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	1, 11, 70, 74, 75, 76, 79, 83, 110, 111, 119
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	1, 110, 111, 112, 119
d. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	1, 11, 70, 74, 75, 76, 79, 83, 110, 111, 119
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	1, 110, 111, 119
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	1, 34, 110, 111, 119
g. Conflict with adopted policies or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	1, 11, 80, 110, 111, 119

E12182

Project #: 2004-0927

Project Address: 811 East Arques Ave.

Applicant: Lowe's HIW, Inc.

Attachment C

Page 17 of 30

INITIAL STUDY ENVIRONMENTAL CHECKLIST

PAGE 11 of 24

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
-----------------------------------	--------------------------------	--	------------------------------	-----------	--------

XIV. HAZARDS AND HAZARDOUS MATERIALS. Would the project?

- | | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|--------------------------|-----------------------|
| a. | Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> | 64, 65, 102, 103, 118 |
| b. | Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X | 64, 65, 102, 103, 118 |
| c. | Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> | 64, 65, 102, 103, 118 |
| d. | Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> | 64, 65, 102, 103, 118 |
| e. | For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X | 64, 65, 102, 103, 118 |
| f. | Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X | 64, 65, 102, 103, 118 |
| g. | Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X | 64, 65, 102, 103, 118 |

E12182

Project #: 2004-0927
Project Address: 811 East Arques Ave.
Applicant: Lowe's HIW, Inc.

INITIAL STUDY ENVIRONMENTAL CHECKLIST
PAGE 12 of 24

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
-----------------------------------	--------------------------------	--	------------------------------	-----------	--------

XV. RECREATION

- | | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|----------|-----------------------|
| a. | Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X | 1, 17,
110,
111 |
| b. | Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X | 1, 17,
110,
111 |

XVII. HYDROLOGY AND WATER QUALITY. Would the project?

- | | | | | | | |
|-------|--|--------------------------|--------------------------|--------------------------|----------|------------------------|
| a. | Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X | 23, 24,
110,
111 |
| (i.) | Is the project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, will it result in an increase in any pollutant for which the water body is already impaired? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X | 23, 24,
110,
111 |
| (ii.) | Will the proposed project cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X | 23, 24,
110,
111 |
| b. | Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X | 23, 24,
110,
111 |

E12182

Project #: 2004-0927

Project Address: 811 East Arques Ave.

Applicant: Lowe's HIW, Inc.

Attachment C

Page 19 of 30

INITIAL STUDY ENVIRONMENTAL CHECKLIST

PAGE 13 of 24

Issues and Supporting Information		Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	1, 23, 24, 86, 110, 111
d.	Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	23, 24, 86, 87, 88, 110, 111, 114
e.	Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	23, 24, 110, 111
(i.)	Would the proposed project result in an increase in pollutant discharges to receiving waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	23, 24, 110, 111
(ii.)	Does the project have the potential to result in a significant impact to surface water quality, marine, fresh, or wetland waters, or to groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	23, 24, 110, 111
(iii.)	Will the project result in avoiding creation of mosquito-larval sources that would subsequently require chemical treatment to protect human and animal health?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	23, 24, 110, 111
f.	Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	18, 110, 111, 118
g.	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	18, 110, 111, 118
h.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	1, 18, 93, 110, 111, 118
i.	Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	18, 111

E12182

Project #: 2004-0927
Project Address: 811 East Arques Ave.
Applicant: Lowe's HIW, Inc.

INITIAL STUDY ENVIRONMENTAL CHECKLIST
PAGE 14 of 24

DISCUSSION OF IMPACTS THAT ARE LESS THAN SIGNIFICANT

I AESTHETICS (c) The site is within the context of a large industrial area that contains multistory and large square footage buildings (developed at approximately 35% floor area ratio (FAR)) primarily developed over 25 years ago for industrial uses. Industrial buildings surround the site with the exception of an apartment complex and fire station across Wolfe Road to the west. The proposed structure is a one-story building with architectural projections up 50 feet in height. The FAR of the Lowe's structure proposed on the site would be approximately 22%. City's implementation of the Industrial Design Guidelines and staff's review of final development plans for compliance with its Use Permit approval, which will be submitted for final Building Permit review, will ensure that the final design of the project will not degrade the visual character of the industrial park nature of the area or quality of the site and its surroundings. As a result of the Use Permit process, this impact will be less than significant. The pad lots along the periphery of the site will require individual design review and/or use permits at the time of their development, depending on the proposed uses.

II AIR QUALITY (e) The project requires significant grading of the site, including demolition of the existing building and potential remediation of any contaminated soil on site. This may introduce temporary and short term dust into the air, and therefore, temporarily affect air quality. Through the City's implementation of the Municipal Code's construction regulations, Bay Area Air Quality regulations, and Regional Water Quality Control Board, this impact will be lessened to a less than significant level during construction.

III BIOLOGICAL RESOURCES (e) The City's Tree Preservation Ordinance calls for the protection of trees of 38 inches in circumference or greater, when measured at four feet from the ground. The Ordinance does allow trees to be removed in order for property owners to enjoy the "reasonable use" of their property, which may include development or redevelopment of a site. Most of the trees on the site will be removed since they are located in the existing parking lot area where the new building is proposed to be sited. The proposed project will be required to preserve existing street trees as feasible and not impacted by the development request. In addition, the applicant will be required to plant replacement trees per the Sunnyvale Municipal Code.

VII NOISE (a) The project may introduce short-term and temporary additional sources of noise to the project area during construction. Through the City's implementation of the Municipal Code noise regulations and allowed hours of construction, this impact will be lessened to a less than significant level during construction.

VII NOISE (b) The project may introduce short-term ground borne vibrations and ground borne noise due to extensive excavation at this site. These vibrations will not be long term impacts resulting from the proposed use, but will be temporary effects on the project area during construction only. Through the City's implementation of the Municipal Code noise regulations and allowed hours of construction, this impact will be lessened to a less than significant level during construction.

E12182

Project #: 2004-0927

Project Address: 811 East Arques Ave.

Applicant: Lowe's HIW, Inc.

INITIAL STUDY ENVIRONMENTAL CHECKLIST
PAGE 15 of 24

VII NOISE (c) The project will introduce additional sources of noise to the project area both during construction and as an operational aspect a new 165,000 square foot home improvement center. The new use of the property is anticipated to be more intensive at certain times (weekday evenings and weekends) than the existing research and development office building, but much less intensive at other times (weekday day times). The area is zoned for industrial/commercial uses and previously occupied by an industrial use and the will not be out of character for the types of uses allowed in this zoning district. Through the City's implementation of the Industrial Design Guidelines and Municipal Code noise regulations, this impact will be lessened to a less than significant level both during construction and post-construction operation.

VII NOISE (d) The project may introduce short-term and temporary additional sources of noise to the project area during construction. Through the City's implementation of the Industrial Design Guidelines and Municipal Code noise regulations, this impact will be lessened to a less than significant level during construction.

X MANDATORY FINDINGS OF SIGNIFICANCE (b) The project will create new traffic trips to the site that would have a cumulative incremental effects, but these effects are not significant based on applicable environmental thresholds, existing facility and system capacities, and/or adopted service levels. A complete discussion of the traffic impacts follows in section **XIII Transportation/Traffic**. The buildout of the proposed project is within the buildout levels evaluated as part of the adopted Land Use and Transportation Element of the General Plan and in compliance with the citywide Transportation Strategic Program for mitigation of cumulative traffic impacts.

XI GEOLOGY AND SOILS (a)(ii) The project site is not located in an area with any active faults, but may experience strong seismic ground shaking in the event of an earthquake. Through the City's implementation of the Uniform Building Code requirements for area's with potential for seismic activity, this aspect of the project will be reduced to a less than significant level.

XI GEOLOGY AND SOILS (a)(iii) See Note for XI(ii).

XI GEOLOGY AND SOILS (c) See Note for XI(ii).

XIII TRANSPORTATION AND TRAFFIC – GENERAL DISCUSSION The proposed Lowe's would include approximately 134,563 square feet of sales area and approximately 31,202 square feet of garden center, for a total size of approximately 165,765 square feet. The project also includes two pads, that could accommodate two buildings totaling approximately 17,000 square feet, although none are proposed at this time. Additional permits would be required for any additional development of the two pads. The project is proposing to provide 616 parking spaces (593 would be required for the proposed Lowe's building).

Trip Generation

Based on the Institute of Transportation Engineers (ITE) trip generation rates for a home improvement superstore and high-turnover sit down restaurant, the daily and peak hour project trips have been calculated.

E12182

Project #: 2004-0927
Project Address: 811 East Arques Ave.
Applicant: Lowe's HIW, Inc.

INITIAL STUDY ENVIRONMENTAL CHECKLIST
PAGE 16 of 24

The proposed project is estimated to generate about 5,326 trips per day with about 296 trips during the AM peak hour and about 444 trips during the PM peak hour per the traffic analysis submitted by the applicant.

Comparison to Previous Uses on the Site

This site was previously occupied by Philips Semiconductors with a total of 316,000 square feet of space that consisted of labs, testing, offices, and fabrication facilities as well as the required parking areas on site. This use would be most closely comparable to the category of general manufacturing. Therefore, using the ITE Rates for manufacturing (Land Use Code 140), it is estimated that the Philips site would have generated about 231 vehicle trips during the AM peak hour and about 234 trips during the PM peak hour. This estimate of previous uses trip generation are conservative as compared to the higher rates of traffic generated by research and development or office uses.

The traffic comparison indicates the proposed Lowe's would generate about 210 more trips during the PM peak hour than the previous use. During the AM peak hour the proposed Lowe's would generate 65 new trips. The proposed project would generate 4,116 new trips daily.

Site Access and Circulation

The project would have access via five driveways, one right-in/right-out only driveway directly onto Wolfe Road and two driveways each on Stewart Street and E. Arques Avenue, including both restricted movements and full movements. A westbound bicycle lane exists on Arques Avenue, but along the project site frontage the bike lane is discontinuous because of the narrow right-of-way. The bike lane then continues on the other side of Wolfe Road. In the vicinity of the proposed project Wolfe Road has been identified by the VTA as an important bicycle facility (part of Countywide Bicycle Route #1). The site also may be accessed by via four-foot sidewalks. The four-foot sidewalks are deficient in width compared to the current city standard of five feet.

Intersection Capacity Requirements

Based on this analysis it has been determined that the proposed project would not result in any significant traffic capacity problems, or any violation of traffic standards, as established by the VTA and the City of Sunnyvale. The amount of traffic generated by the project can be safely handled on the existing roadway system with the planned improvements at the project driveways.

Parking

The project will provide a total of 616 parking spaces on the site that will serve the needs of both employees and customers. This amount of parking meets the City of Sunnyvale's parking and zoning requirements. Lowe's will typically prescribe the least convenient spaces for their employees, and will also have a security detail to monitor the parking area.

Public Transit

Lowe's will generate very few bus transit trips by its clients and customers. However, it can be expected that some of the store employees can and will take advantage of the existing bus transit system to get to their jobs

E12182

Project #: 2004-0927
Project Address: 811 East Arques Ave.
Applicant: Lowe's HIW, Inc.

INITIAL STUDY ENVIRONMENTAL CHECKLIST
PAGE 17 of 24

at the store. The number of transit trips is expected to be somewhat less than what would have been occurring when Phillips Semiconductors was in operation. As a result, the proposed Lowe's would not have a significant impact on bus transit routes or headways.

Truck Access

The truck access plan can be seen by a review of the site plan. Trucks will enter the property from driveways on Stewart Drive and Arques Avenue. A truck turning area has been provided to the rear of the store that will accommodate all deliveries and receiving. All intersections and truck areas have been tested with the appropriate turning radii to assure that the trucks can maneuver safely.

Freeway Operations

The majority of traffic destined for the proposed Lowe's would use local roadways and would have little effect on freeway operations in the area. As part of our analysis we reviewed the project trips that would be added to local freeways and it was determined that no freeway segments in the area would experience an increase of more than one percent.

XIII TRANSPORTATION AND TRAFFIC (a) The proposed use has net increase of both average daily trips and peak hour trips as compared to the prior use of the site. However, the level of traffic generated by the development does not impact the level service of public streets adjacent to the site.

XIII TRANSPORTATION AND TRAFFIC (b) The project will affect one (1) CMP intersection that is currently operating at an unacceptable level of service. This is the intersection of E. Arques Avenue and the Lawrence Expressway. A project is said to impact an intersection determined to have been at LOS E under existing conditions if the addition of project traffic increases the average stopped delay for critical movements by four (4) seconds or more, and increases the critical v/c value by 0.01 or more. The proposed project will add a total of 18 trips to this intersection with the Lawrence Expressway during the AM peak hour and 27 trips during the PM peak hour. This number of project trips is very low in comparison to the background traffic, and would not alone cause any of the impacts described above. Deficiency plans are actions implemented to compensate for a condition where a transportation impact cannot be reduced to a less than significant level. In addition to offsetting mitigations of a deficiency plan, the city has a cumulative traffic mitigation mechanism in place of a traffic impact fee. The fee is collected at the time of issuance of building permits for new development with a net increase in traffic generation. The funds are expended on transportation projects in accordance with the Transportation Strategic Program's identified projects and improvements, which include Lawrence Expressway improvements.

XIII TRANSPORTATION AND TRAFFIC (g) The sidewalks along the site provide pedestrian access at the minimum level of service of four feet and are one-foot below city standard specifications. Arques Avenue is part of a bicycle plan, but bicycle lanes are discontinuous along the subject frontage with existing lanes on both sides of the site. The project has not proposed to improve the street frontages to current specifications at this time. Considering the site is a developed site the level of change from existing conditions is not significant; meaning the proposed plan is not in conflict with adopted policies and plans per se due to existing conditions. However, during the Use Permit process the issue of alternative modes of

E12182

Project #: 2004-0927
Project Address: 811 East Arques Ave.
Applicant: Lowe's HIW, Inc.

Attachment C
Page 24 of 30

INITIAL STUDY ENVIRONMENTAL CHECKLIST
PAGE 18 of 24

transportation and access will be reviewed through Use Permit and may be addressed further in the justifications and findings for approval. Conditions of approval may be included to upgrade these facilities.

XIV HAZARDS AND HAZARDOUS MATERIALS – GENERAL DISCUSSION: The Philips facilities in Sunnyvale at 811 Arques Avenue and 440 North Wolfe Road, originally housed two semiconductor fabrication facilities. Philips stopped semiconductor manufacturing in 1999, although the building is still used for office activities by the company. The area around the site is currently mixed light industrial, residential, and public facilities.

In February of 1982, Philips became aware that underground storage tanks-containing chemicals commonly used in manufacturing were deteriorating. Underground storage of chemical tanks was considered to be the safest way to store chemicals at the time, and it was the recommended industry-standard practice. Deterioration of the tanks allowed chemicals to seep into the soil and groundwater. With the problem identified, Philips initiated investigation, removed the tanks, and began cleanup operations. Several wells were installed to monitor the effects of the leak on groundwater quality. No drinking water wells have been affected by the leakage at any time. The chemicals are no longer used or stored at this site.

During the mid-eighties, additional monitoring wells were installed at the Sunnyvale site and it was determined that the affected groundwater had formed a plume that had migrated off the manufacturing site to the North. Two trenches were installed to create a barrier to stop the movement of the shallow groundwater and to provide a mechanism to extract and treat this groundwater. Additional extraction wells were added in 1985 and 1986 to treat groundwater at greater depths, and further investigations were conducted to define the extent of issue in the soil and groundwater-both on-site and off-site.

The chemicals still present in groundwater are being removed using an on-site groundwater extraction and treatment system. Philips monitors chemical levels at the site using numerous groundwater extraction and monitoring wells (over 200 in this general vicinity), which are sampled semi-annually or annually according to the history of the activity at the well.

Philips has been conducting activities to clean up contamination in the soil and groundwater at the Sunnyvale site since 1982. Philips has worked under the oversight of the California Regional Water Quality Control Board, San Francisco Bay Region (RWQCB), a government regulatory agency within the State of California's Environmental Protection Agency (Cal/EPA). Over the past 20+ years, Philips has conducted a series of corrective actions that have included removal of affected soils, groundwater testing, and treatment of groundwater. Activities included installation of water treatment facilities that help to remedy the situation.

In 2003, the U.S. Environmental Protection Agency (EPA) proposed new guidance regarding trichloroethene (TCE), one of the chemicals present at the Sunnyvale site. This new EPA guidance suggests the TCE may be significantly more toxic than previously thought. As a result, the EPA has raised questions about the possibility of TCE rising into buildings that are located over groundwater plumes. The EPA has begun indoor air sampling at several other sites in the Silicon Valley. The data collected from these samplings will be used by the EPA to further evaluate the levels of TCE in indoor air.

Project #: 2004-0927
Project Address: 811 East Arques Ave.
Applicant: Lowe's HIW, Inc.

E12182

INITIAL STUDY ENVIRONMENTAL CHECKLIST
PAGE 19 of 24

The concentrations of TCE and related chemicals in groundwater have been reduced significantly throughout the plume since cleanup activities began. TCE (a liquid used mainly as a solvent to remove grease from metal parts, and also found in adhesives, paint removers and spot removers) is of concern because of its toxicity and its ability to evaporate from groundwater and pass through overlying soil in to the atmosphere.

The contaminated groundwater, also known as a groundwater plume, currently extends in the shallow aquifer just North of Lakehaven Drive to the North and to Arques Avenue to the South; and it is bounded by San Miguel Avenue on the East and by San Juan Drive on the West. Groundwater monitoring verifies that the plume boundaries are stable and they are not expanding. Operation of the groundwater treatment system has contributed to decreasing concentrations of the chemicals. At the request of the RWQCB and the EPA, Philips is now expanding environmental testing offsite to include collection of soil-gas samples (measuring vapor concentrations in the soil) and indoor air samples around the King's Academy school and in the neighborhood near Duane Avenue.

Groundwater cleanup in some sites in the local vicinity is being conducted under the EPA "Superfund" program. This program allows for federal financing to help guarantee cleanup of site that are deemed to pose a threat to public health or the environment. The RWQCB manages the Superfund cleanup process at some sites under a formal agreement with the EPA.

In 1989, residents and businesses surrounding the site were mailed information alerting them to the presence of soil and groundwater contamination as well as ongoing investigation. This activity was conducted in cooperation with RWQCB as part of an ongoing campaign to raise community awareness. Community members were invited to be on a mailing list maintained by the RWQCB. Approximately 100 businesses selected from the Chamber of Commerce Directory were placed on the mailing list as well. As part of the investigatory process, a public comment period was announced for the proposed cleanup plan for the site in March of 1991. The proposed plan fact sheet included a listing of the potential health effects from the site. A community meeting was held in May of 1991 and the cleanup plan was revised in response to public comment.

A study was conducted by the Department of Health Services (DHS) and Epidemiology; they conducted indoor air testing at the San Miguel School building and presented their results to the community in 1992. Additional information was mailed to the community on cleanup progress and presentation was made to the Lakewood Village Neighborhood Association, also in 1992.

XIV HAZARDS AND HAZARDOUS MATERIALS (a) This project will require the removal of approximately four monitoring wells from the site. These wells are currently sited where the parking lot is located and where the applicant is proposing the new building. The California Regional Water Quality Control Board has reviewed these plans and has given preliminary approval to the applicant. The RWQCB will require permit approval prior to the start of construction and retains final approval authority over all modifications to the mitigation system currently on site. RWQCB is considered the lead agency for this activity.

E12182

Project #: 2004-0927

Project Address: 811 East Arques Ave.

Applicant: Lowe's HIW, Inc.

INITIAL STUDY ENVIRONMENTAL CHECKLIST
PAGE 20 of 24

As part of this project, the existing Philips buildings will be removed, including the basement areas. The soils around these basement areas may still contain soils contamination. This area could not be accessed during the initial remediation efforts since they were located under the buildings. After the building's demolition, further tests will be conducted and any contaminated soils will be removed if necessary.

Removal of this soil could create a hazard to the public through routine transportation of the material or any air borne material during the removal phase. This impact is considered less than significant since the California Regional Water Quality Control Board has jurisdiction over all activities on this site and requires permit approval prior to the start of any activities that would affect the remediation on site. This project would be subject to their final permit approval prior after the City of Sunnyvale has given development review approval of the Use Permit. RWQCB permits require the safe removal and handling of materials during the construction phase.

XIV HAZARDS AND HAZARDOUS MATERIALS (c) See Notes for XIV(a) and General Discussion.

XIV HAZARDS AND HAZARDOUS MATERIALS (d) See Notes for XIV(a) and General Discussion.

XVII HYDROLOGY AND WATER QUALITY (c) The project will significantly alter the drainage pattern of the site through redevelopment and regarding of most of the site. During the Building Permit review, there will be an evaluation and final approval of the project's effect on drainage patterns through a final SCVURPPP Hydromodification Management Plan (HMP). This plan will assess the significance of altering existing drainage patterns and develop any conditions of approval.

XVII HYDROLOGY AND WATER QUALITY (d)(i) The project will not result in a net increase of impervious surface, but is subject to NPDES Group I permits, since the site is redeveloping. The project is also subject to Best Management Practices (BMP) in fulfillment of Provision C.3 requirements and will be reviewed for compliance during the Building Permit review. In fact the stormwater runoff volume will be significantly reduced and have also have a greater level of treatment from incorporation of BMP required by the Sunnyvale Municipal Code. A certified stormwater management plan will be reviewed and approved by staff prior to issuance of building permits for new development.

XVII HYDROLOGY AND WATER QUALITY (d)(ii) See Notes for XVII (d)(i).

E12182

Project #: 2004-0927
Project Address: 811 East Arques Ave.
Applicant: Lowe's HIW, Inc.

INITIAL STUDY ENVIRONMENTAL CHECKLIST
PAGE 21 of 24

DISCUSSION OF IMPACTS THAT ARE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

I AESTHETICS (d) The existing use on the property is a multi-story industrial research and development building which has lighting in the parking lot area, in the building's campus area, and lights casting out of the office windows. Generally, the lighting on the site is kept at a minimum since the hours of operation are primarily during the daytime hours, although, the parking lot is lit at night for employees. The majority of the employees parking is sited behind the existing buildings and screened from Wolfe and Aques Roads. Most of the campus/walkway lights are off or kept low during nighttime and the office lighting of off at night.

The new use is a large tenant retail store which will have significant new parking lot lighting and exterior lights; therefore, new sources of light will be cast onto adjoining properties. The light will come primarily from the parking lot pole lights, which will be placed throughout the parking area and will be in operation during and after business hours. The hours of operation will allow the business to be in open during most evening hours and up to 12:00pm daily. The parking area will be sited mainly along Wolfe Road, so the new sources of light will cast primarily to the west.

With the standard conditions of approval (lighting plan approval prior to building permit issuance) and proposed project mitigation, the project will not create any new significant glare or adversely affect the nighttime views.

The following mitigation measures are proposed:

WHAT: 1) All walkway lighting and security lighting will be down lit and designed at a pedestrian scale in height and degree of illumination.

2) A photometric plan shall be provided during the building permit review.

3) Flood lights and spot lights shall be kept to a minimum and included on the photometric plan.

4) All parking lot pole lighting shall be downlit, decorative building lighting shall also be directed downward. Parking lot pole height is to be determined through the Use Permit conditions of approval but shall not exceed 24 feet in height including the base of the luminary. Cutoff lenses to ensure reduction in glare and direct visual appearance of the lighting source from adjacent residential use are to be included in the luminary selection.

5) All lighting shall be kept to a minimum usage and intensity when the use is closed to the public (outside of hours of operation).

6) No lighting from the building or light poles will cast across any property lines.

E12182

Project #: 2004-0927
Project Address: 811 East Arques Ave.
Applicant: Lowe's HIW, Inc.

INITIAL STUDY ENVIRONMENTAL CHECKLIST
PAGE 22 of 24

WHEN: These mitigation measures will be converted into conditions of approval for this Use Permit (UP) prior to its final approval by the City's Planning Commission. The conditions will become valid when the UP is approved and prior to building permit issuance.

WHO: The property owner will be solely responsible for implementation and maintenance of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans.

II AIR QUALITY (b,d) The project requires significant grading of the site, including demolition of the existing building and potential remediation of any contaminated soil on site. This may introduce temporary and short term dust into the air, and therefore, temporarily affect air quality. There is an existing 192 unit residential project in the immediate vicinity (Avalon at Parkside Commons, across Wolfe Road) where children and seniors likely reside. This population could be negatively affected by the change in air quality if mitigation is not implemented. Through the City's implementation of the Municipal Code's construction regulations, Bay Area Air Quality regulations, and Regional Water Quality Control Board, this impact will be lessened to a less than significant level during construction.

The following mitigation measures are proposed:

WHAT: 1. Permits must be obtained from the City of Sunnyvale, Bay Area Air Quality, and Regional Water Quality Control Board prior to demolition or construction.
2. During grading of the site additional BMP shall be included to minimize dust and particulate matter impacts as follows:
a. Water active areas of the site daily, or as needed during windy and dry times;
b. Stabilize access roads on to the site with paving, non-toxic stabilizers, or application of water a minimum of 3 times daily with a crushed rock surface ;
c. Sweep roads (including public), parking, and access areas with water sweepers daily if visible soil is carried onto these surfaces;
d. Cover all trucks hall soil, sand, or other small sized debris or require trucks to maintain two-feet of freeboard
e. Plant vegetation for in disturbed areas as immediately as feasible, this includes the hydroseeded area on the site plan.

WHEN: These permits are required prior to any demolition or construction at the site and BMP are to be included as notes on the grading permits.

WHO: The property owner will be solely responsible for obtaining permits.

HOW: These mitigation measures will be required to be completed prior to building permit issuance.

E12182

Project #: 2004-0927
Project Address: 811 East Arques Ave.
Applicant: Lowe's HIW, Inc.

INITIAL STUDY ENVIRONMENTAL CHECKLIST
PAGE 23 of 24

IV CULTURAL RESOURCES (a) See Note for IV (b).

IV CULTURAL RESOURCES (b) Staff has no evidence of archaeological resources being located on-site or being found in the immediate vicinity. However, the project scope does include major excavation of the site for construction of the proposed building and there may be the potential that the project may uncover yet undiscovered archaeological resources.

The following mitigation measures are proposed:

WHAT: 1) The applicant is responsible for onsite monitoring of project-related construction. In the event that subsurface cultural resources are encountered during approved ground-disturbing activities, work in the immediate vicinity shall be stopped and a qualified archaeologist retained to evaluate the finds. The discovery or disturbance of any cultural resources shall also be reported to the California Historic Resources Information System (CHRIS) and, if Native American artifacts are found, to the Native American Heritage Commission. Identified cultural resources should be recorded on form DPR 523 (historic properties). Mitigation measures prescribed by these groups and required by the City of Sunnyvale should be undertaken prior to resumption of construction activities.

2) If human remains are found during project grading, work shall halt and the County Coroner shall be informed immediately. If the Coroner determines that no investigation of the cause of death is required, and if the remains are of Native American origin, the Native American Heritage Commission should be contacted and further actions should be taken in consultation with them.

3) If disturbance of a project area cultural resource cannot be avoided, a mitigation program, including measures set forth in Section 15126.4 of the CEQA Guidelines, shall be implemented.

WHEN: These mitigation measures will be converted into conditions of approval for this Use Permit prior to its final approval by the City's Planning Commission. The conditions will become valid when the Use Permit is approved and prior to building permit issuance.

WHO: The property owner will be solely responsible for implementation and maintenance of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans.

Project #: 2004-0927
Project Address: 811 East Arques Ave.
Applicant: Lowe's HIW, Inc.

E12182

E12182

INITIAL STUDY ENVIRONMENTAL CHECKLIST
PAGE 24 of 24

XIII TRANSPORTATION AND TRAFFIC (d) The project will be adding a driveway on Stewart Drive in close vicinity to a sharp curve with high vehicle speeds. The project will also be adding a driveway on Wolfe Road. Wolfe Road is a major arterial roadway with high vehicle volume and speed. Vehicles slowing to enter the driveway, as well as potentially queuing in the roadway to enter will cause a hazard.

WHAT:

- 1) The applicant will be required to limit driveway for the western Stewart Drive access to right-turn into the driveway only. There will be no left-turns into the site permitted or exiting from this driveway. The driveway will be constructed to physically limit prohibited movements. A median barrier shall be constructed within the Stewart Drive right-of-way to City specification.
- 2) The applicant will be required to create a minimum driveway throat length of 75 feet for the Wolfe Road driveway.

WHEN: These mitigation measures will be converted into conditions of approval for this Special Development Permit prior to its final approval by the City's Planning Commission. The conditions will become valid when the Use Permit is approved and prior to building permit issuance.

WHO: The property owner will be solely responsible for implementation of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans.


Completed By: Kelly Diekmann, Associate Planner


Date: